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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/184,738	11/02/1998	ROBERT M. MORRIS	3042-3	4609

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EXAMINER

NGUYEN BA, HOANG VU A

ART UNIT	PAPER NUMBER
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2122

12

DATE MAILED: 04/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/184,738

Applicant(s)

MORRIS ET AL.

Examiner

Hoang-Vu A Nguyen-Ba

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 02 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to Applicants' supplemental response filed February 2, 2003.
2. Per Applicants request, new claims 55-57 have been added.
3. Claims 1-57 are currently pending.

Response to Argument(s)

4. Applicant's arguments with respect to claims 1-54 in amendment filed May 6, 2002 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections – 35 U.S.C. § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 4-28 and 31-57 are rejected under 35 U.S.C. § 102(a) as being anticipated by Gurewich et al. ("Gurewich"), Master Visual Basic 3, Sams Publishing, 20 July 1994.

Claims 1, 28, 55, 56 and 57

Gurewich discloses at least:

- a. *means for wrapping objects with additional properties and events beyond those properties and events internal to the object* (see at least Gurewich, chapter 19, section “Attaching Code to the Multitasking Check Box, page 573-576; chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584); *and*
- b. *means for utilizing the additional properties and events to link and sequence the objects* (see at least chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584).

Claims 4 and 31

Gurewich discloses at least:

- a. *a development environment and an interpreting run time environment* (see at least chapter 14); *and*
- b. *means for utilizing objects, by specifying property values according to the script* (see at least chapter 14).

Claims 5 and 32

The rejection of the base claim is incorporated. Gurewich further discloses *a means for communicating among objects through the exchange of property values* (see at least Figure 14.13; Figure 14.26 and related discussion in the specification).

Claims 6-7 and 33-34

The rejection of the base claim is incorporated. Gurewich further discloses *a means for communicating among objects wherein an event generated by an object triggers an instance of another object* (see at least Figure 14.26 and related discussion in the specification).

Claims 8 and 35

Gurewich discloses at least:

- a. *a development environment and an interpreting run time environment that have no logical or arithmetic operators* (see at least chapter 14); and
- b. *means for utilizing objects by specifying property values according to the script* (see at least chapter 14).

Claims 9 and 36

The rejection of the base claim is incorporated. Gurewich further discloses *a means for communicating among objects through the exchange of property values* (see at least Figure 14.13; Figure 14.26 and related discussion in the specification).

Claims 10-11 and 37-38

The rejection of the base claim is incorporated. Gurewich further discloses *a means for communicating among objects wherein an event generated by an object triggers an instance of another object* (see at least Figure 14.26 and related discussion in the specification).

Claims 12 and 39

Gurewich discloses at least:

- a. *a development environment and an interpreting run time environment that have no definable data structure architecture (see at least chapter 14); and*
- b. *means for utilizing objects by specifying property values according to the script (see at least chapter 14).*

Claims 13 and 40

The rejection of the base claim is incorporated. Gurewich further discloses *a means for communicating among objects through the exchange of property values* (see at least Figure 14.13; Figure 14.26 and related discussion in the specification).

Claims 14-15 and 41-42

The rejection of the base claim is incorporated. Gurewich further discloses *a means for communicating among objects wherein an event generated by an object triggers an instance of another object* (see at least Figure 14.26 and related discussion in the specification).

Claims 16 and 43

The rejection of the base claim is incorporated. Gurewich further discloses *a means for adding additional programming constructs by employing objects that perform the function of programming constructs wherein unlimited expansion of program capabilities is achieved* (see at least “Writing the code of the FormLoad() procedure”, p. 585 et seq.; “Attaching code to the cmdPlay button”, p. 591 et seq.).

Claims 17 and 44

Gurewich discloses at least:

- a. *a run time program* (see at least chapter 14); *and*
- b. *means for utilizing objects according to the script* (see at least chapter 14).

Claims 18 and 45

Gurewich discloses at least:

- a. *a run time program that has neither arithmetic nor logical operators* (see at least chapter 14); *and*
- b. *means for utilizing objects according to the script* (see at least chapter 14).

Claims 19 and 46

Gurewich discloses at least:

- a. *a run time program that has no definable data structure architecture* (see at least chapter 14); *and*
- b. *means for utilizing objects according to the script* (see at least chapter 14).

Claims 20 and 47

Gurewich discloses at least:

- a. *means for instantiating objects* (see at least chapter 20, section “The visual implementation of the WEST program, p. 581 et seq.);
- b. *means for integrating objects* (see at least chapter 20, section “The visual implementation of the WEST program, p. 581 et seq., see “Note”, p. 584);

- c. *means for sequencing objects* (see at least chapter 20, “Writing the code that performs the animation show”, p. 594 et seq.); *and*
- d. *means for providing communication among objects wherein the functionalities performed by the system during execution are determined by the objects used and the script* (see at least (see at least chapter 20, “Writing the code of the FormLoad() procedure”, p. 585 et seq.).

Claims 21 and 48

Gurewich discloses at least:

- a. *means for instantiating objects* (see at least chapter 20, section “The visual implementation of the WEST program, p. 581 et seq.);
- b. *means for integrating objects* (see at least chapter 20, section “The visual implementation of the WEST program, p. 581 et seq., see “Note”, p. 584);
- c. *means for sequencing objects* (see at least chapter 20, “Writing the code that performs the animation show”, p. 594 et seq.); *and*
- d. *means for providing communication among objects; wherein the functionalities performed by the system during execution are determined by the objects used and the script* (see at least (see at least chapter 20, “Writing the code of the FormLoad() procedure”, p. 585 et seq.).

Claims 22 and 49

Gurewich discloses at least:

- a. *means for setting the values of properties and connecting events* (see at least chapter 14, p. 460 et seq.);

b. *means for recording and maintaining a history of a plurality of properties settings and event connections as the settings and connections are changed* (see at least chapter 14, Table 14.1; chapter 15, table 15.1; chapter 19, table 19.1; chapter 20, Table 20.1; and related discussion in the specification); *and*

c. *means for traversing the history one change at a time wherein the property values and event connections may be edited from any point in the history* (see at least chapter 14, Table 14.1; chapter 15, table 15.1; chapter 19, table 19.1; chapter 20, Table 20.1; and related discussion in the specification).

Claims 23 and 50

Gurewich discloses at least:

a. *means for wrapping objects with additional properties and events beyond those properties and events internal to the objects* (see at least Gurewich, chapter 19, section “Attaching Code to the Multitasking Check Box, page 573-576; chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584);

b. *means for utilizing the additional properties and events to link and sequence the objects* (see at least chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584); *and*

c. *means for reading one or more sets of property values and event settings maintained separately from the run time system and the objects wherein the execution of the objects is determined by the property values and event settings in the script* (see at least chapter 20, table 20.1 and related discussion in the specification).

Claims 24 and 51

The rejection of the base claim is incorporated. Gurewich further discloses *means for adding programming constructs or sub-languages utilizing objects* (see at least “Writing the code of the FormLoad() procedure”, p. 585 et seq.; “Attaching code to the cmdPlay button”, p. 591 et seq.).

Claims 25 and 52

Gurewich discloses at least:

- a. *means for wrapping objects with additional properties and events beyond those properties and events internal to the object* (see at least Gurewich, chapter 19, section “Attaching Code to the Multitasking Check Box, page 573-576; chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584); and
- b. *means for utilizing the additional properties and events to link and sequence the objects wherein the run time execution of the objects is determined by property values and events* (see at least chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584).

Claims 26 and 53

Gurewich discloses at least:

- a. *means for wrapping objects with additional properties and events beyond those properties and events provided internal to the object* (see at least Gurewich, chapter 19, section “Attaching Code to the Multitasking Check Box, page 573-576; chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584);

b. *means for utilizing the additional properties and events to link and sequence the objects* (see at least chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584); *and*

c. *means for specifying the temporal relationship among objects by placing the objects on one or more time lines wherein execution of the objects occurs at least partially concurrently and during which property values may be exchanged among the objects and events may be initiated* (see at least chapter 20, Table 20.1, “*cmdSlow*, *cmdFast*, *cmdNormal* and related discussion in the specification).

Claims 27 and 54

Gurewich discloses at least:

a. *means for wrapping objects with additional properties and events beyond those properties and events provided internal to the object* (see at least Gurewich, chapter 19, section “Attaching Code to the Multitasking Check Box, page 573-576; chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584);

b. *means for utilizing the additional properties and events to link and sequence the objects* (see at least chapter 20, section “The WEST Program” page 580 et seq., in particular the “Note” at page 584); *and*

c. *means for specifying a list of property values and event settings wherein the execution of the objects is determined by the list of property values and event settings* (see at least chapter 19, Table 19.1 and related discussion in the specification).

7. Claims 2-3 and 29-30 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,187,788 to Marmelstein, February 16, 1993.

Claims 2 and 29

Marmelstein discloses at least:

- a. *means for simultaneously displaying a plurality of different representations of the program structure* (see at least Figure 7 and related discussion in the specification); *and*
- b. *means for manipulating the program structure within each of the different representations wherein the representations of the program structure may be synchronized* (see at least Figure 7 and related discussion in the specification).

Claims 3 and 30

The rejection of the base claim is incorporated. Marmelstein further discloses a *means for highlighting the icon for each object in the representations as objects are being instantiated during application development playback preview* (see at least Figure 7, the highlighted box “Deposit Display” and related discussion in the specification).

Conclusion

- 8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Hoang-Vu “Antony” Nguyen-Ba, whose telephone number is (703) 305-0103. The examiner can normally be reached on Monday - Thursday from 6:30 – 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached at (703) 308-4789.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Fax Numbers:

After Final Amendment	(703) 746-7238
Official	(703) 746-7239
Customer Service	(703) 746-7240
Examiner's Assigned Fax Number	(703) 746-5426



Hoang-Vu "Antony" Nguyen-Ba

April 9, 2003